



# Public Notice

**Applicant:**

Stone Creek Homes, LLC

**Date:**

Published: October 26, 2004

Expires: November 25, 2004

**U.S. Army Corps  
of Engineers**

**In Reply Refer To:**

Buffalo District **CELRB-TD-R** **RE:** 2004-01203 (0) **Section:** OH 404

**Application for Permit under Authority of  
Section 404 of the Clean Water Act (33 U.S.C. 1344).**

Mr. Mario DiPadova of Stone Creek Homes, LLC, 1050 Terminal Tower, 50 Public Square, Cleveland, Ohio, has applied for a Department of the Army Permit to fill 1.008 acres of wetland and 987 linear feet of streams for the purpose of constructing a 125 unit residential subdivision located east of S.O.M. Center Road, north of Ridgebury Boulevard, and south of Bonnieview Road, in the City of Mayfield Heights, Cuyahoga County, Ohio.

Two federally jurisdictional wetlands, totaling 1.57 acres, and 2,391 linear feet (0.28 acre) of stream channel occur on the 30 acre site. The streams are unnamed tributaries of the Chagrin River.

As mitigation for the permanent loss of 1.008 acres of wetlands and 987 linear feet of streams, the applicant is considering one or more of the follow options within the Chagrin River watershed. No detailed plans have been developed at this time.

a. Approximately 4 acres of wetland restoration at Sunny Lake Park, in the City of Aurora, Portage County, Ohio.

b. Approximately 1,075 linear feet of stream restoration, 1 acre of wetland enhancement, 1 acre of wetland creation, 1.5 acres of wetland preservation, and 3,500 linear feet of forested riparian buffer creation, in the City of Aurora, Portage County, Ohio.

c. Approximately 1,850 linear feet of stream restoration, 0.75 acre of wetland creation, 1.1 acres of wetland preservation, and 1.29 acres of forested riparian buffer creation, in the City of Aurora, Portage County, Ohio.

Location and details of the above described work are shown on the attached maps and drawings.

Questions pertaining to the work described in this notice should be directed to Mark W. Scalabrino, who can be contacted by calling (716) 879-4327, or by e-mail at: mark.w.scalabrino@usace.army.mil

The following authorization(s) may be required for this project:

Water Quality Certification (or waiver thereof) from the Ohio Environmental Protection Agency.

Based on preliminary findings, there do not appear to be any properties listed in, or eligible for listing in, the National Register of Historic Places within the permit area as shown on Sheet 1 of 5. This notice constitutes initiation of consultation with the Ohio Historic Preservation Office (SHPO) per Section 106 of the National Historic Preservation Act. All currently available historic resource information pertaining to this proposed project if any has been provided to the SHPO. Additional information concerning historic properties should be submitted to the Corps before the end of the comment period of this notice. The Corps will forward that information to the SHPO for their review.

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In addition, available evidence indicates that the proposed work will not affect a species proposed or designated by the U.S. Department of the Interior as threatened or endangered, nor will it affect the critical habitat of any such species.

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this notice.

Comments should be sent to the U. S. Army Corps of Engineers, 1776 Niagara Street, Buffalo, New York 14207, and should be marked to the attention of Mark W. Scalabrino, or by e-mail at: mark.w.scalabrino@usace.army.mil. A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record which is available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision making process for this application. A Corps hearing is not a source of information for the general public, nor a forum for the resolution of issues or conflicting points of view (witnesses are not sworn and cross examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior or actions of the public or applicant on upland property not regulated by the Department of the Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments. Therefore, you should not fail to make timely written comments because a hearing might be held.

The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy

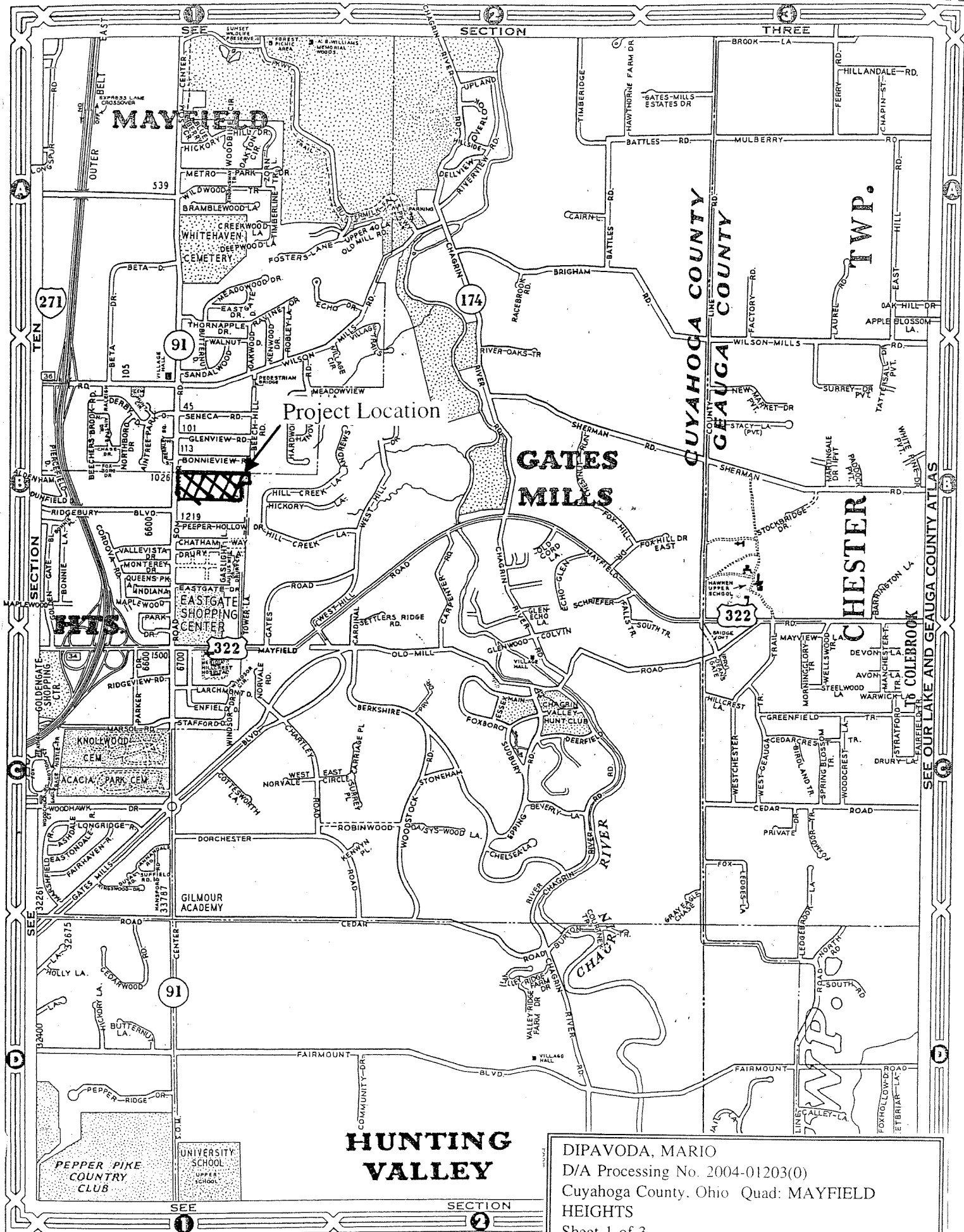
needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

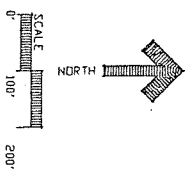
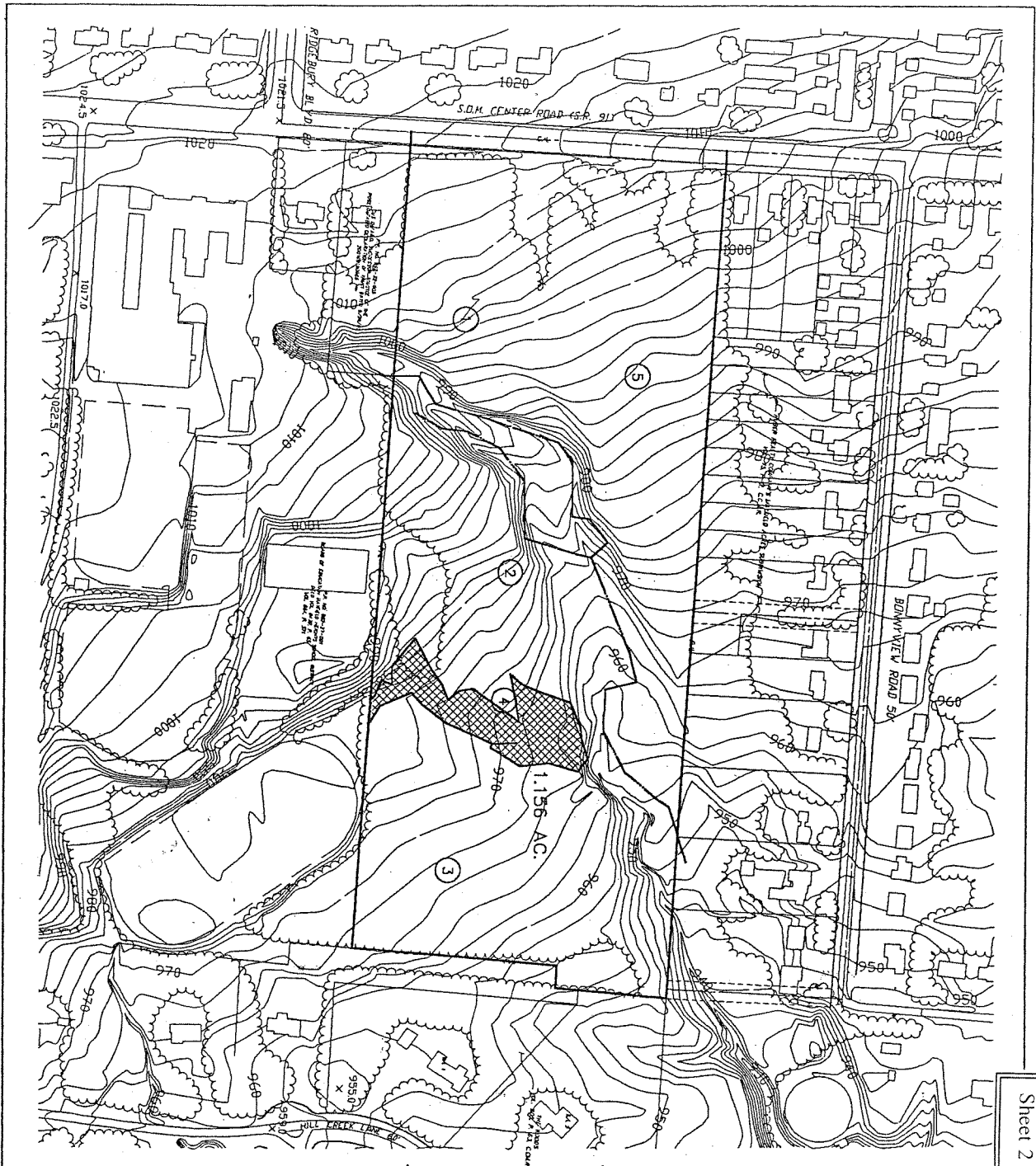
# SIGNED

Thomas C. Switala  
Chief, Regulatory Branch

NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 30 days from the date of issuance.



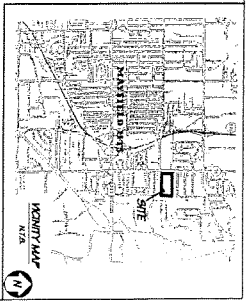
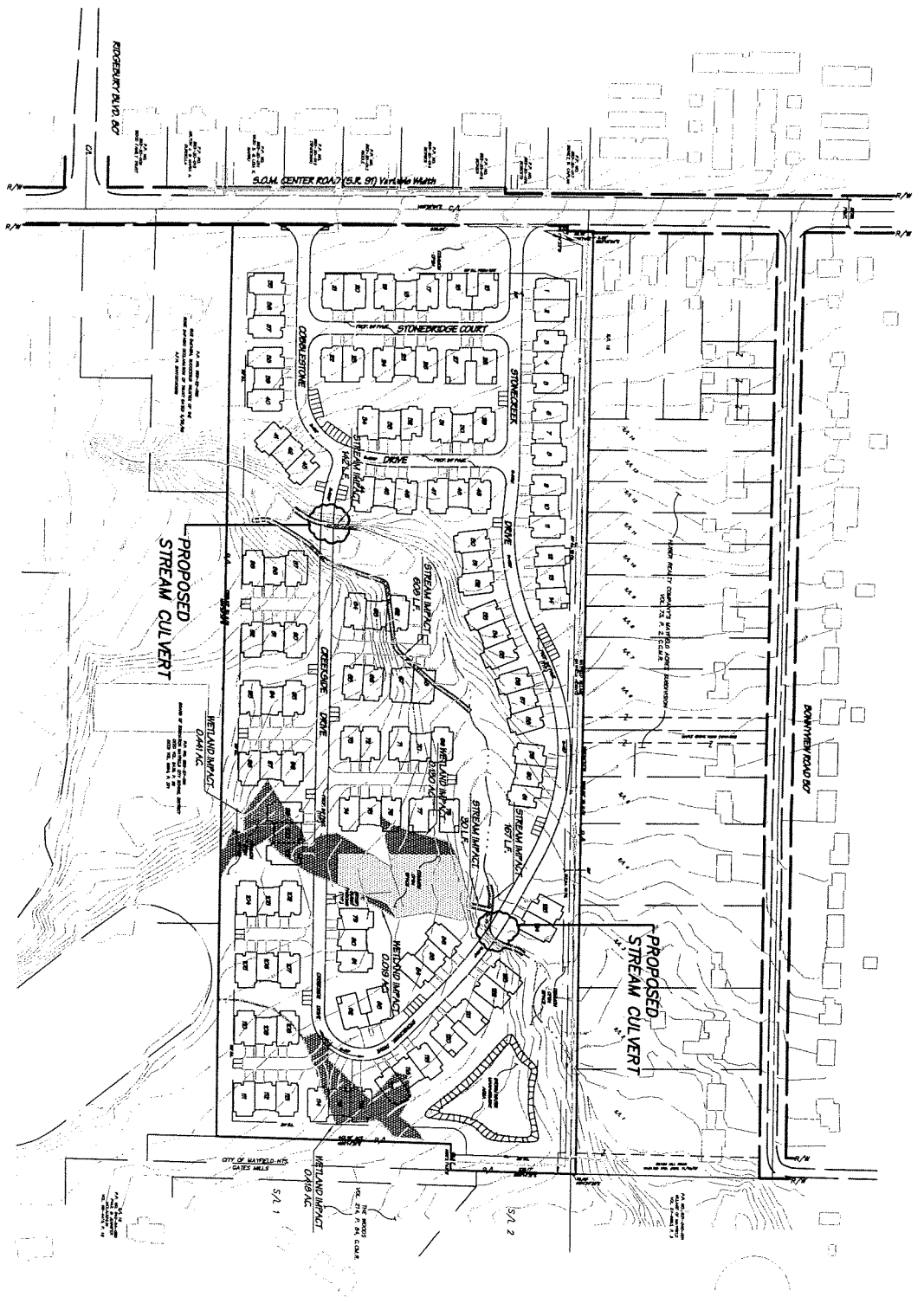
DIPAVODA, MARIO  
D/A Processing No. 2004-01203(0)  
Cuyahoga County, Ohio Quad: MAYFIELD  
HEIGHTS  
Sheet 2 of 3



⑦ SAMPLE POINT  
WETLAND AREA = 1.156 ACRES  
STREAM/DITCH AREA = 0.273 ACRES  
2302.19 FEET

This wetland delineation will be supported by Flickinger Group, Inc. for five years from the date of this map or verification letter from USACE, whichever is later.

CLIENT	
MULTIBUILDERS INC.	
PROJECT	
+/-30 ACRES, 1055 SOM CENTER ROAD	
TITLE	
WETLAND DELINEATION	
DATE	DATE
11-02	11-02
SCALE	
1" = 100'	
DRAWN BY	
P. HICKING	
CHECKED BY	
J. HICKING	
DATE	
11-02	
PROJECT NO.	
554 WHITE POND DRIVE, SUITE D	
FAIRLAWN, OHIO 44130 (330) 866-0688	
SHEET NO.	
1 of 1	



**PREFERRED DEGRADATION  
ALTERNATIVE (125 UNITS)  
STONE CREEK  
CITY OF MAYFIELD HEIGHTS  
CUYAHOGA COUNTY, OHIO**

Developer:  
F&B SUBSIDIARIES CO.  
600 MILLER PARKWAY, SUITE 100 (Apt. 100)  
MAYFIELD HEIGHTS, OHIO 44130  
PHONE: (216) 646-1100 FAX: (216) 646-1102  
Prepared By:  
DONALD G. JOHNSON & ASSOCIATES, INC.  
7075 HUB PARKWAY, VALLEY VIEW, OHIO 44125  
PHONE: (216) 646-1100 FAX: (216) 646-1102  
DE: MS 27861 04/18 10/01 04/18 04/18



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DIPAVODA, MARIO  
D/A Processing No. 2004-01203(0)  
Cuyahoga County, Ohio Quad: MAYFIELD  
HEIGHTS  
Sheet 3 of 3